



One Lincoln Center | Syracuse, NY 13202-1355 | bsk.com

SUZANNE M. MESSER, ESQ.
smesser@bsk.com
C: 315.218.8628

January 29, 2024

VIA ELECTRONIC FILING

Hon. Gary L. Sharpe
Magistrate Judge
United States District Court, NDNY
100 South Clinton Street
PO Box 7346
Syracuse, NY 13261

Re: *Vengalattore v. Cornell University*
Civil Action No. 3:18-cv-01124-GLS-TWD

Dear Judge Sharpe:

We are preparing a motion for summary judgment on behalf of defendant Cornell University ("Cornell"), and respectfully request permission to submit a brief not in excess of forty-five (45) pages in support of the motion.

Plaintiff's Second Amended Complaint is 37 pages long and is comprised of 172 paragraphs. The case was the subject of a decision in the Second Circuit regarding the necessary proof of plaintiff's Title IX claim that is 68 pages long. The disputes between Dr. Vengalattore and Cornell were previously litigated in state court, culminating in a decision in the Appellate Division. The Title IX claim arises out of an investigation report prepared by Cornell that is 63 pages long, with appendixes of approximately 5,000 pages.

We respectfully submit that because of the extensive prior history in this case, Cornell should be allowed to file a brief of up to forty-five pages.

We have spoken with counsel for Dr. Vengalattore, who has consented and asked that Dr. Vengalattore be also permitted to submit an opposing brief of up to forty-five pages.

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in black ink that reads "Suzanne Messer".

Suzanne M. Messer, Esq.
SMM/slp

cc: Counsel of Record (via ECF)